



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,459	03/15/2002	Mika Viljanmaa	3397-113PUS	3046

7590

09/03/2003

Michael C Stuart  
Cohen Pontani Lieberman & Pavane  
551 Fifth Avenue Suite 1210  
New York, NY 10176

EXAMINER

SELF, SHELLEY M

ART UNIT

PAPER NUMBER

3725

DATE MAILED: 09/03/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/088,459

Applicant(s)

VILJANMAA, MIKA

Examiner

Shelley Self

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 10-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/15/02 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "...actuator means adapted to function between said bearing blocks..." (clms. 18-24) and "...cylinder portion of said hydraulic cylinders and hydraulic channels thereof are formed in said bearing blocks" (clms. 28-31) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

Claims 13, 17, 21, 25, 27, 29 and 31 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. With regard to claim 13, the specification fails to provide details of how said actuator means comprising a hydraulic cylinder (clm. 13) and a spring (clm. 11) and how the two are interrelated. The specification merely states an actuator means comprised of a hydraulic cylinder or a spring. For the purposes of examination, the Examiner understands the actuator means to be a hydraulic cylinder or a spring.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10, 12, 14, 16, 26, 32 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Lamon et al. (4,266,475). With regard to claims 10, 32 and 33, Lamon discloses a calender for calendering a web of paper or board comprising a top and bottom roll (fig. 1), at least one intermediate roll (fig. 1) disposed in a stack, bearing blocks (fig. 1,3) in which said rolls are mounted, a frame (42), mounts (38) to which said bearing blocks of said at least one intermediate roll are connected (fig. 3), said mounts (38) slidably connected to guides (col.2, lines 68) in said frame, actuator means (50) and auxiliary means comprising said bearing blocks, mounts and actuator means, said actuator means is operable to accomplish at least substantially complete relief of the nip loading imposed by the weight and auxiliary means.

With regard to claim 12, Lamon discloses said actuator means comprising a hydraulic cylinder (50).

With regard to claims 14, 16, Lamon discloses said actuator means are adapted to function between said mounts of said rolls forming said nips (fig. 3).

With regard to claim 26, Lamon discloses hydraulic cylinders and channels thereof formed in said mounts (fig. 3).

Art Unit: 3725

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, (13), 15, 17, 19, 21, 27, 29 and (31) are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamon et al. (4,266,475) alone or in view of Karr et al. (4,501,197). Lamon does not disclose said actuator means to be a spring. The selection of a spring to actuate/bias the roll mount for linear movement is one of mere design choice. The specific selection of a spring is one of mechanical expedients (i.e. hydraulic/pneumatic cylinders, springs) and would have been obvious to one having ordinary skill in the art at the time of the invention.

Moreover, Karr teaches the use of a spring (59) as a load-relieving device and to bias/actuate a roll mount in a multi-roll calender. Karr teaches this construction so as to relieve load/pressure. Because the references are from a similar art and deal with a similar problem (i.e. load/pressure/weight relief) it would have been obvious at the time of the invention to one having ordinary skill in the art to replace Lamon's hydraulic cylinder with a spring, as taught by Karr so as to relieve load/pressure of the roll(s).

With regard to claim 13, as best as can be understood, Lamon discloses a hydraulic cylinder (50).

With regard to claims 15 and 17 as best as can be understood, Lamon discloses said actuator means are adapted to function between said mounts of said rolls forming said nips (fig. 3).

Art Unit: 3725

With regard to claims 19, 21, as best as can be understood and claim 23, Lamon does not disclose said actuator means adapted to function between said bearing blocks of said rolls forming said nips. Its would have been obvious to one having ordinary skill in the art at the time of the invention to construct Lamon such that said actuator means adapted to function between said bearing blocks of said rolls forming said nips, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

With regard to claim 27, as best as can be understood, Lamon discloses hydraulic cylinders and channels thereof formed in said mounts (fig. 3).

With regard to claims 29 and 31, as best as can be understood, Lamon does not disclose hydraulic cylinders and channels thereof formed in said bearing blocks. Its would have been obvious to one having ordinary skill in the art at the time of the invention to construct Lamon such that said disclose hydraulic cylinders and channels are formed in said bearing blocks, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

Claims 18, 20, 22, 24, 25 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamon et al. (4,266,475). With regard to claim 18, Lamon does not disclose said actuator means adapted to function between said bearing blocks of said rolls forming said nips. Its would have been obvious to one having ordinary skill in the art at the time of the invention to construct Lamon such that said actuator means adapted to function between said bearing blocks of said rolls forming said nips, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

Art Unit: 3725

With regard to claims 28 and 30, Lamon does not disclose hydraulic cylinders and channels thereof formed in said bearing blocks. It would have been obvious to one having ordinary skill in the art at the time of the invention to construct Lamon such that said disclose hydraulic cylinders and channels are formed in said bearing blocks, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelley Self whose telephone number is (703) 305-5299. The examiner can normally be reached Mon-Fri from 8:30am to 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Allen Ostrager can be reached at (703) 308-3136. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3579 for regular and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

SSelf  
August 26, 2003



ALLEN OSTRAGER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700